

REMARKS

Claims 1-10, 13-16 and 27-42 were pending in the above-captioned application when the present Office Action was mailed (May 19, 2005). Claims 1-3, 5-10, 27 and 36 have been amended either to place these claims in independent form or to make minor clarifying changes, neither of which has narrowed the scopes of these claims. Claims 4, 13-16, 28 and 37 have been cancelled, and claims 43-52 have been added. Accordingly, claims 1-3, 5-10, 27, 29-36, and 38-52 are currently pending.

In the Office Action mailed May 19, 2005, claims 1-10, 13-16 and 27-42 were rejected. More specifically, the status of the application in light of this Office Action is as follows:

- (A) Claims 15 and 16 stand rejected under 35 U.S.C. § 112, second paragraph;
- (B) Claims 1, 2, 7, 9, 13, 27, 32, 35, 36, and 41 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,177,780 to Tsai ("Tsai");
- (C) Claims 13-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,004,047 to Akimoto et al. ("Akimoto");
- (D) Claims 27, 29-33, 35, 36, and 38-42 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,096,550 to Mayer et al. ("Mayer");
- (E) Claim 34 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Mayer; and
- (F) Claims 1-10, 13-16, and 27-42 stand rejected under the judicially created doctrine of obviousness-type double patenting on the basis of 1-17 of U.S. Patent No. 6,428,673.

A. Response to the Section 112 Rejection

Claims 15 and 16 were rejected under 35 U.S.C. § 112, second paragraph. These claims have been cancelled, without commenting on or conceding the merits of the Examiner's rejections of these claims. Accordingly, the Section 112 rejections of these claims are now moot.

B. Response to the Section 102 Rejections on the Basis of Tsai

Claim 1 has been amended to include the features of claim 4, which was rejected only on the basis of double patenting. As described below under Section F, the double patenting rejection of claim 1 should be withdrawn in light of the enclosed Terminal Disclaimer. Claims 2, 7 and 9 depend from claim 1. Accordingly, the Section 102 rejections on the basis of Tsai should be withdrawn for the foregoing reasons and for the additional features of these dependent claims.

Claim 13 has been cancelled and accordingly, the Section 102 rejection of claim 13 should be withdrawn.

Claim 27 has been amended to include the features of claim 28. As discussed below under Section F, claim 28 was rejected only under the basis of double-patenting and, in light of the enclosed Terminal Disclaimer, is now in condition for allowance. Claims 32 and 35 depend from claim 27. Accordingly, these claims should be allowed as depending from an allowable base claim, and for the additional features of these dependent claims.

Claim 36 has been amended to include the features of dependent claim 37. Dependent claim 37 was rejected only on the basis of obviousness-type double patenting. As discussed below under Section F, the double patenting rejection of claim 36, as amended, should be withdrawn in light of the enclosed Terminal Disclaimer. Claim 41 depends from claim 36 and therefore the Section 102 rejection of claim 41 should be withdrawn for the foregoing reasons and for the additional features of this dependent claim.

C. Response to the Section 102 Rejections on the Basis of Akimoto

Claims 13-16 were rejected under 35 U.S.C. § 102(e) on the basis of Akimoto. These claims have been cancelled and accordingly, the Section 102 rejections of these claims are now moot.

D. Response to the Section 102 Rejections on the Basis of Mayer

As discussed above under Section A, independent claims 27 and 36 are in condition for allowance in light of the enclosed Terminal Disclaimer. Claims 29-33 and 35 depend from claim 27, and claims 38-42 depend from claim 36. Accordingly, the Section 102 rejections of these claims should be withdrawn for the foregoing reasons and for the additional features of these dependent claims.

E. Response to the Section 103 Rejection of Claim 34

Claim 34 was rejected under 35 U.S.C. § 103(a) on the basis of Mayer. Claim 34 depends from now-allowable claim 27. Accordingly, the Section 103 rejection of claim 34 should be withdrawn for the foregoing reasons and for the additional features of this dependent claim.

F. Response to the Double Patenting Rejection

Claims 1-10, 13-16 and 27-42 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 of U.S. Patent No. 6,428,673. Claims 4, 13-16, 28 and 37 have been cancelled and accordingly, the double patenting rejections of these claims are now moot. In light of the enclosed Terminal Disclaimer, the double patenting rejections of claims 1-3, 5-10, 27, 29-36, and 38-42 should be withdrawn.

G. New Claims 43-52

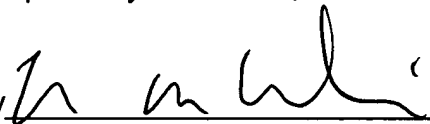
New claims 43 and 44 depend from claim 8, and new claims 45-52 depend from claim 10. Aside from their dependencies, claims 43 and 45 correspond to claim 2 while claims 44 and 48 correspond to claim 5. Claims 46, 47, 49, 50, 51 and 52 correspond to claims 3, 4, 6, 7, 8, and 9, respectively. Accordingly, new claims 43-52 should be allowed for the reasons described above with reference to the claims from which they depend, and for the additional features of these dependent claims.

H. Conclusion

In light of the foregoing, all of the pending claims meet the requirements of Section 112 and patentably define over the applied references. Applicants, therefore, request allowance of all pending claims. If the Examiner wishes to discuss any matter regarding this application, the Examiner is encouraged to contact the undersigned attorney by telephone at (206) 359-3257.

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Respectfully submitted,

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